

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DEITORE COATES,
Plaintiff,
v.
JEFFREY CAREY,
Defendant.

Case No. 2:22-cv-02124-DJC-JDP (PS)

ORDER

On May 18, 2023, the Magistrate Judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . ."). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The proposed Findings and Recommendations filed May 18, 2023, are adopted;
2. Defendant's motion to dismiss, ECF No. 4, is granted;
3. Plaintiff's complaint, ECF No. 1, is dismissed without leave to amend; and
4. The Clerk of Court is directed to close the case.

IT IS SO ORDERED.

Dated: August 18, 2023


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE